REMARKS

The U.S. Patent and Trademark Office ("Patent Office") issued a restriction requirement under 35 U.S.C. § 121.

By this Amendment and Response to the Restriction Requirement, Applicants amend claims 6, 8, 28, 29, 32, 41, and 44 to improve form. Claims 1-46 remain pending.

With regard to the restriction requirement, the Patent Office required restriction to one of the following allegedly distinct inventions: Group I corresponding to claims 1-24, 40, and 41 allegedly drawn to a method and system for ranking documents, wherein documents related to a search query have been identified and scoring based on a ranking model, which is classified in class 707, subclass 005; and Group II corresponding to claims 25-39 and 42-46 allegedly drawn to a method and system for generating a model by selecting a candidate condition that includes one or more features, estimating a weight for the candidate condition, and forming a rule from the candidate condition and the weight, which is classified in class 707, subclass 102. The Patent Office alleged that the inventions of Groups I and II are unrelated.

Applicants respectfully traverse the restriction requirement and submit that the Patent Office has made an improper restriction requirement. Nevertheless, Applicants provisionally elect Group I, including claims 1-24, 40, and 41 with traverse.

The Patent Office alleged that the inventions of Groups I and II are unrelated and indicated that inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they are different modes of operation, different functions, or different effects and cited M.P.E.P. §§ 806.04 and 808.01 (Restriction Requirement, page 2). Applicants assume that the Patent Office intended to identify M.P.E.P. § 806.06, which relates to independent

inventions and contains language similar to the language cited in the Restriction Requirement.

M.P.E.P. § 806.06 states:

> Inventions as claimed are independent if there is no disclosed relationship between the inventions, that is, they are unconnected in design, operation, and effect. If it can be shown that two or more inventions are independent, and if there would be a serious burden on the examiner if restriction is not required, applicant should be required to restrict the claims presented to one of such independent inventions. For example:
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> (A) Two different combinations, not disclosed as capable of use together, having different modes of operation, different functions and different effects are independent. An article of apparel and a locomotive bearing would be an example. A process of painting a house and a process of boring a well would be a second example.
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> (B) Where the two inventions are process and apparatus, and the apparatus cannot be used to practice the process or any part thereof, they are independent. A specific process of molding is independent from a molding apparatus that cannot be used to practice the specific process.

In particular, this section of the M.P.E.P. states that two combinations that are not disclosed as capable of use together and have different modes of operation, different functions, and different effects are independent. In this case, the Patent Office only alleged that the inventions of Groups I and II have different modes of operation (Restriction Requirement, page 2). Without acquiescing in the Patent Office's allegation, Applicants submit that the Patent Office has not provided any evidence that the inventions of Groups I and II have different functions and different effects, as required by M.P.E.P. 806.06. Therefore, the Patent Office's restriction requirement is improper.

Further, Applicants' original specification clearly discloses the inventions of Groups I and II as capable of use together. Applicants' original specification describes exemplary processing for generating a model at, for example, paragraphs 0030-0042 (corresponding to the claims of Group II), and exemplary processing for ranking documents based, at least in part, on the generated model at, for example, paragraphs 0043-0048 (corresponding to the claims of Group I).

Moreover, paragraph 0045 of Applicants' specification clearly identifies that the inventions of Groups I and II are capable of use together. Therefore, the Patent Office's restriction requirement is improper.

Accordingly, Applicants respectfully submit that the Patent Office has not established that the inventions of Groups I and II are unrelated or that a restriction is proper.

In view of the foregoing, favorable examination of pending claims 1-46 is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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Date: July 17, 2006

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